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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,105	10/10/2001	Craig Nemecek	CYPR-CD00184	8788

7590 07/13/2006

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EXAMINER
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PHAN, THAI Q

ART UNIT	PAPER NUMBER
2128	

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/975,105

Applicant(s)

NEMECEK, CRAIG

Examiner

Thai Phan

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

This Office Action is in response to applicant's amendment filed on 04/24/2006.

Claims 12-26 are pending in the action.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 12-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Casselman Steven, US patent application publication no. 2002/0156998.

As per claim 12, Casselman anticipates a method and system for communication of virtual computers having a plurality of FPGAs with a host interface with feature limitations very identical to the claimed invention ([0006]). According to Casselman, the virtual computer communication method includes steps:

Establishing an interface between a host computer (12) and the FPGA array (31) to other base stations or nodes of network (11) (Figs. 5, [0056], [0060], [0062]-[0066]),

Transmitting configuration information over the interface in a first transmission mode to configure the FPGA array ([0056], [0062],-[0066]),

Transmitting operation information over the communication interface in a second transmission mode (Figs. 5, 8, 13, [0059]-[0079]).

As per claims 13 and 14, Casselman anticipates configurations for virtual devices under test in an emulation system, virtual controller or processor for emulation ([0055], [0057], [0074]).

As per claim 15, Casselman anticipates an interface between a computer host and an array of FPGA gates. This should comply the IEEE standard interface such as IEEE 1284.

As per claims 16-26, the claims are directed to a system and method for communicating a host system with an FPGA with feature limitations as shown in the rejected claims 12-15 above. Claims 16-26 are thus rejected under the same rationale as set forth.

### ***Response to Arguments***

3. Applicant's arguments filed 04/25/2006 have been fully considered but they are not persuasive.
4. In response to applicant's argument Casselman does not teach or suggest a virtual controller of FPGAs having an interface for transmitting configuration information over the interface in a transmission mode to program the FPGA, and for transmitting operation information over the interface in a transmission mode, the examiner responds Casselman discloses a virtual computer (controller in a broad sense) having interface for:

Establishing an interface between a host computer (12) and the FPGA array (31) to other base stations or nodes of network (11) (Figs. 5, [0056], [0060], [0062]-[0066]),

Transmitting configuration information over the interface in a first transmission mode to configure the FPGA array ([0056], [0062],-[0066]),

Transmitting operation information over the communication interface in a second transmission mode (Figs. 5, 8, 13, [0059]-[0079]).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US patent no. 5,691,898, issued to Rosenberg et al, on Nov. 1997
2. US patent no. 6,034,538, issued to Abramovici, Miron, on Mar. 2000
3. US patent no. 6,816,544, issued to Bailey et al, on Nov. 2004
4. US patent no. 6,967,960, issued to Bross et al, on Nov. 2005

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2128

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thai Phan whose telephone number is 571-272-3783.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2128

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 07, 2006

A handwritten signature in black ink, appearing to read 'Thai Phan', is positioned above the printed name.

Thai Phan  
Patent Examiner